

**THE FAYETTE COUNTY PLANNING COMMISSION** held a **Public Meeting/Workshop** on June 7, 2012, at 7:35 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, Fayetteville, Georgia.

**MEMBERS PRESENT:** Tim Thoms, Chairman  
Al Gilbert, Vice-Chairman  
Bill Beckwith  
Jim Graw  
Douglas Powell

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Dennis Dutton, Zoning Administrator  
Robyn S. Wilson, PC Secretary/Zoning Coordinator  
Sgt. Travis Caldwell

**STAFF ABSENT:** Pete Frisina, Director of Community Development

**Welcome and Call to Order:**

Chairman Thoms called the Public Meeting/Workshop to order and introduced the Board Members and Staff.

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**1. Discussion of proposed amendments to the Fayette County Comprehensive Plan Land Use Element and the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance regarding: the SR 74 South, SR 85 South, and Padgett Road intersection.**

Chairman Thoms stated the subject intersection had been discussed at several Workshops. He said an Overlay and Special Development District had also been discussed. He confirmed in March, the PC forwarded a Memo to the BOC requesting direction about Corner 2 being designated as a County Park or Conservation Area in order to preserve the historic area of Starr's Mill. He advised he and Doug Powell attended the BOC Workshop on June 6, 2012, and the BOC liked the idea of a County Park or Conservation Area, but did not know how it could be accomplished financially. He said the BOC was willing to listen to ideas on how this could be accomplished and asked the PC to put together a package and present it to them at a future Workshop. He added the BOC liked the idea of an Overlay and Special Development District.

Dennis Dutton added staff would be getting in touch with Todd Strickland, who is the managing partner of Historical Concepts, and requests him to be present at a future Workshop to get his input.

Dennis Dutton presented the following proposal:

**FAYETTE COUNTY COMPREHENSIVE PLAN**  
**FUTURE LAND USE MAP AND NARRATIVE**

**Limited Commercial**

This category identifies property where the Limited-Commercial Zoning District is recommended.

SR 74 S, SR 85 S, and Padgett Road Intersection: This area represents a newly developing nonresidential node.

**SR 74 S, SR 85 S, and Padgett Road Intersection Special Development District:** The purpose of this Special Development District is to address nonresidential development standards at this intersection. This Special Development District will be depicted as a hatched pattern over the underlying non-residential land use designations on the Future Land Use Plan. This District identifies the county's recommendations for the intersection including the preferred development pattern and developmental controls to address intensity, architecture, and relationship to the historic character of the area.

**SR 74 S, SR 85 S, and Padgett Road Intersection Overlay District:** This District identifies the county's goals and recommendations for the SR 74, SR 85, and Padgett Road intersection. Both SR 74 and SR 85 are Major Arterials and serve as commuting routes. SR 74 connects to Peachtree City, Tyrone and Interstate 85 to the north. SR 85 runs through Fayetteville to Clayton County and connections to SR 92, SR 314, and SR 279 can be made along this route. The widening of SR 74 from two to four lanes was completed in early 2012. As a result of this project Padgett Road was realigned to alleviate its offset from SR 74. SR 85 is planned to be widened from two (2) to four (4) lanes in the future.

The intersection is in close proximity to historic Starr's Mill. Starr's Mill is a significant historic resource and is identified and discussed in the Natural and Historic Resources Element of this Plan.

**Historic Resources:** Starr's Mill is located to the northeast of this intersection on Whitewater Creek. Starr's Mill is one of the most important historical structures in Fayette County. The mill and surrounding property containing the mill pond is owned by the Fayette County Water System and serves as a water intake location and passive park. The present mill was built in 1888, and was central to the Starr's Mill Community that also contained a post office, stores, church, cotton gin, and saw mill. These facts are discussed in the Natural and Historic Resources Element of the Comprehensive Plan.

Also located at the intersection in close proximity to Starr's Mill is the Starr's Mill Baptist Church. It is estimated that the church was constructed in 1887, according to the Natural and Historic Resources Element. The church is owned and utilized by New Hope Baptist Church which is located across SR 74.

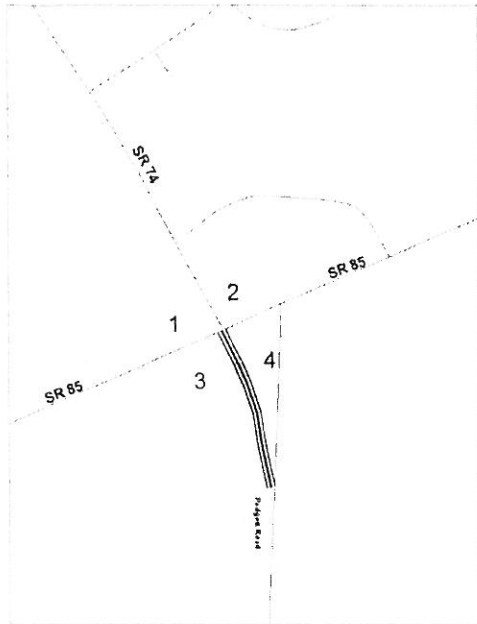
**Existing Development:** Properties at this intersection are residentially zoned and the Future Land Use Plan designates these properties as residential. Most lots contain single-family residences with the exception of a lot of approximately eight acres that contains the aforementioned Starr's Mill Baptist Church. Some of the lots are nonconforming and a few are less than one (1) acre in size. A legal nonconforming commercial structure was removed due to the realignment of Padgett Road.

Several single-family residential subdivisions are located in close proximity to the intersection. These subdivisions include Mill Pond Manor (R-45), Starr's Mill Ridge (R-20), and Starr's Mill Estates (R-20). While Starr's Mill Estates is zoned for one (1) acre lots, the lots range in size from four (4) to eight (8) acres.

**Future Development:** Due to the improvements to this intersection through the SR 74 widening project and the anticipated widening of SR 85, the properties at this intersection are appropriate for nonresidential development. Properties closest to the intersection will contain the more intense nonresidential uses and development will decrease in intensity as it moves away from the intersection. The maintenance of an efficient flow of traffic at this intersection is essential. The historic character of the area should be taken into consideration in the development of architectural standards.

The goals of the SR 74, SR 85, and Padgett Road Intersection Overlay District are: 1) maintain an efficient flow of traffic at the intersection, 2) maintain the historic character of the area, 3) control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County, and 4) protect existing and future residential areas outside of the intersection.

**Recommendations:** The area associated with this intersection will be designated as a Special Development District and the underlying land use designations will be depicted on the Future Land Use Plan. Corresponding Special Development District and Overlay Zone requirements for nonresidential development will be added to the Zoning Ordinance. The nonresidential land use designations at this intersection will consist of Limited-Commercial and Office. Some fringe areas will have a residential land use designation of Low Density Residential (1 Unit/1 to 2 Acres.) To facilitate the land use designation, each of the corners is numbered according to the map below:



**Corner 1:** The land use at this corner will consist of Limited-Commercial and Office. The Limited-Commercial land use area will consist of approximately five (5) acres at the intersection having frontage on both SR 85 and SR 74. The full range of Permitted and Conditional Uses in the Limited-Commercial Zoning District is recommended for this corner. The Office land use area of approximately 5.5 acres is located southwest of the intersection having frontage only on SR 85. This Office area provides a transition from the Limited-Commercial area to a proposed subdivision fronting on SR 85.

Melissa Harris advised she has two (2) acres out of the 5.50 acres of Corner 1 listed and she has potential buyers. She asked why a drive-thru restaurant was not permitted in the L-C Zoning District. She said in today's market, most restaurants have a drive-thru and without a drive-thru you would get restaurants like a Waffle House. She remarked while the PC is talking about enhancing the area, the type of restaurant which would be constructed is limited.

Jim Graw replied the L-C Zoning District is a special type zoning and a drive-thru is allowed in the C-C and C-H Zoning Districts.

Al Gilbert added the PC did not want to see the intersection developed as a haven for fast food restaurants.

Dennis Dutton pointed out a drive-thru is allowed for a bank or laundry pickup under the L-C Zoning District; however, a restaurant is prohibited from having a drive-thru.

Jim Graw suggested requiring Corner 1 be developed as a 5.50 acre tract. He said the plans should include specific uses, historical architectural design/standards, footprint location, etc.

Chairman Thoms commented the majority of the PC wants to change the land use for Corner 1; however, the Historical Special Development District requirements should apply.

**Corner 2:** The land use at this corner will consist of Limited-Commercial, Office, and Low Density Residential. The Limited-Commercial land use area is bounded by Waterfall Way to the north and a gravel drive running north from SR 85 that intersects with Waterfall Way. A limited range of Permitted and Conditional Uses in the Limited-Commercial Zoning District is recommended for this corner. The Conditional Use of a Convenience Commercial Establishment is not recommended for this corner and this will be addressed in the Special Development District requirements in the Zoning Ordinance. The Office land use area is bounded by Waterfall Way, SR 85 and a gravel drive running north from SR 85 that intersects with Waterfall Way. The Low Density Residential area with frontage only on SR 74 is located north of Waterfall Way and includes those properties up to the existing Millpond Manor Subdivision. Millpond Manor Subdivision is zoned for minimum one acre lots.

Al Gilbert confirmed the County does not have the money to purchase the subject property so some type organization needs to take on the project of raising the funds to buy the property for a County Park. He said if the property is purchased for a County Park then it will not be developed commercially.

Melissa Harris advised if the property is zoned L-C then the value is approximately \$500,000 per acre; however, if the property is zoned A-R then the value is approximately \$10,000 to \$15,000 per acre.

Doug Powell confirmed the County countered the church's offer; however, the County did not even have the money to backup their counter offer.

Al Gilbert said the land owner will be very reluctant to see the property developed for recreation in lieu of commercial development. He added he would like to see Corner 2 area remain A-R and not designated as L-C because it is adjacent to Starr's Mill.

Doug Powell concurred and added the Special Development District requirements would apply. He said Corner 2 could be addressed similar to that of SR 74 North with the BTP Zoning District. He pointed out two (2) options could be presented to the BOC: 1) keep the corner as A-R with the hopes of acquiring the property for a County Park; or 2) L-C.

Robyn Wilson advised the PC the properties on SR 74 North had only been land used and not rezoned to BTP which requires a minimum lot size of 20 acres.

Jim Graw remarked he did not see a County Park being developed on Corner 2 and the County should plan for another type of development.

Robyn Wilson reminded the PC the representative from the church who attended one (1) of the PC Workshop's had requested consideration of their property pass Waterfall Way so the church could rezone and sell as commercial property. She cautioned the church may be upset if Corners 1 and 3 are designated for commercial development and Corner 2 is not. She asked how this would be justified.

Chairman Thoms said it could be justified because of the historic significance of Starr's Mill which would require a less intense use on Corner 2.

Doug Powell concurred. He suggested deleting the entire write-up on Corner 2, except that it should remain A-R. He said the write-up appeared to imply the PC wanted to move forward with the proposed land use designation for Corner 2 when, in fact, they wanted to leave the corner as is.

Chairman Thoms commented the majority of the PC does not want to change the land use for Corner 2; however, the Historical Special Development District requirements should apply.

**Corner 3:** The land use at this corner will consist of Limited-Commercial and Low Density Residential. The Limited-Commercial land use area will consist of approximately seven (7) acres at the intersection having frontage on both SR 85 and Padgett Road, bounded by the power line. The full range of Permitted and Conditional Uses in the Limited-Commercial Zoning District is recommended for this corner. The Low Density Residential area is located between SR 85, the power line, Padgett Road and the Starr's Mill Ridge Subdivision that fronts on Padgett Road. Starr's Mill Ridge Subdivision is zoned for minimum one (1) acre lots.

Jim Graw suggested requiring Corner 3 to be developed as a 7.00 acre tract. He said the plans should include specific uses, historical architectural design/standards, footprint location, etc.



Chairman Thoms commented the majority of the PC wants to change the land use for Corner 3; however, the Historical Special Development District requirements should apply.

**Corner 4:** At this time, no land use amendments are recommended for this corner. Due to the acquisition of a larger than normal right-of-way area by GDOT and the undetermined status of vacant County right-of-way for the old alignment of Padgett Road, the configuration and road frontage of properties are uncertain at this time. The Agricultural Residential land use designation will remain in place until such time that these issues are resolved, at which time this area can be reviewed for land use amendments. It is anticipated the Limited-Commercial and Office land use designations would be considered for this corner at that time.

Doug Powell suggested leaving Corner 4 designated as Agricultural Residential. He suggested deleting the last sentence.

Chairman Thoms stated this is good for discussion; however, the PC is not moving forward with anticipated L-C and Office land use designations for Corner 4 at this time.

Jim Graw suggested amending the land use designation up to the 85 Connector because it is closer to Starr's Mill. He said if the land use designation is not amended up to the 85 Connector then properties will be sandwiched in between the 85 Connector and Padgett Road and a precedent will be established.

Doug Powell said he did not want the residential land owners to be situation between two (2) parcels of L-C because they would not be comfortable and people would leave the area since the government was now involved.

Chairman Thoms concurred; however, Staff wants to keep the 85 Connector separated from the SR 74 South, SR 85 South, and Padgett Road intersection. He added the property is bounded by Whitewater Creek so there are probably a lot of wetlands.

Bill Beckwith pointed out the BOC did not include the 85 Connector in their directions.

Robyn Wilson reminded the PC there had been a discussion about waiting until SR 85 South had been widened to discuss the intersection at SR 85 S and the 85 Connector.

Chairman Thoms commented the majority of the PC does not want to change the land use for Corner 4; however, the Historical Special Development District requirements should apply.

Dennis Dutton remarked he would request Todd Strickland of Historic Concepts to be present at a PC Workshop and he could possibly provide information and concepts. He said a Historical Special Development District is a big undertaking.

**Recommended amendments to the Fayette County Zoning Ordinance**

- A. SR 74 S, SR 85 S, and Padgett Road Intersection Overlay Zone. All property and/or development located at this intersection with nonresidential use or zoning shall be subject to the following regulations, in addition to the zoning district requirements, and other development regulations which apply. The General State Route Overlay Zone shall not apply to this area.
1. *Purpose.*  
The purpose of the SR 74 S, SR 85 S, and Padgett Road Intersection Overlay Zone is to achieve the following:
    - a. To promote and maintain orderly development for an efficient traffic flow in highway corridors;
    - b. To maintain the historic character of the area;
    - c. To control the intensity and aesthetic quality of development at the intersection, as it is the southern gateway into Fayette County; and
    - d. To protect existing and future residential areas outside of the intersection.
  2. *Access.*  
Access to each nonresidential property and/or development shall be from SR 74, SR 85, or Padgett Road. All access points shall be required to comply with Fayette County Development Regulations.
  3. *Dimensional Requirements.*
    - a. All parking areas shall be located at least 50 feet from SR 74, SR 85, or Padgett Road right-of-way.
    - b. Front yard setbacks on SR 74, SR 85, or Padgett Road for all structures, including gasoline canopies, shall be 100 feet.
    - c. Berms for nonresidential zoning districts: Berms when required as a condition of zoning, shall be a minimum of four (4) feet in height, and shall be placed to the inside of the applicable buffer.
    - d. If the side yard abuts a nonresidential zoning district, all non-structural improvements, other than approved access, shall be located a minimum of 10 feet from the side property line.



4. *Architectural Standards.* Structures shall maintain the historical and aesthetic character of the area. Elevation drawings denoting compliance with the following requirements shall be submitted and approved as part of the rezoning application. Any substantial changes to the architectural characteristics of proposed structures shall be reevaluated under the procedure of Article XI.

- a. Starr's Mill: Starr's Mill was built in 1888, and is a significant historic resource in Fayette County. It is a building of influence for these architectural standards. Starr's Mill is a two-story structure with a gable roof. The roof is corrugated metal. The façade is wood siding and runs in a horizontal pattern. The structure sits on a stacked stone pillar foundation. Windows are wood framed with a grid mullion pattern. Doors are also wood framed. The structure also has a covered porch with a wood picket rail banister. The building is red, the windows and door frames are white, the doors are red, the banister is white and the roof and porch covering is a grey metal. It is encouraged that these architectural elements and colors be utilized in the architectural designs of nonresidential structures in this overlay (see Appendix A.)

Starr's Mill is indicative of turn of the century architectural character common in rural areas. Similar architectural design associated with this period is also acceptable for this area. Examples of these architectural types are in Appendix B.

In addition, improvements including stacked rock walls, period fencing and/or period lighting fixtures are *(required or encouraged?)* and shall be depicted on the aforementioned elevation drawings. These improvements may be located in the required landscape area.

- b. *Gasoline Canopy.* Gasoline canopies shall also comply with the following requirements:
- i. Gasoline canopies shall be attached to the principal structure as an extension of the structure/roof.
  - ii. The vertical clearance under the gasoline canopy shall not exceed a maximum of 18 feet in height.
  - iii. The support columns for the gasoline canopies shall match the façade of the principal structure.

- iv. The gasoline canopy roof shall match the architectural character, materials, and color of the principal structure.

Chairman Thoms suggested limiting the size of the gasoline canopy and the number of gas pumps in the front yard and requiring additional gas pumps to be located on the side yard that are visible from the inside of the convenience store.

- c. All buildings shall be constructed with a facade of fiber-cement siding (ie: Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, or cast-stone;
  - d. The design of accessory/out lot buildings shall be consistent with and coordinate with the architectural style inherent in the principal structure on the property.
5. *Landscape Requirements.* In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the Overlay Zone:
- a. *Street Frontage.* Landscape area: 50 feet along the right-of-way of SR 74, SR 85, or Padgett Road. The first 25 feet as measured from the right-of-way is for required landscape planting only. The remaining 25 feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the Environmental Health Department and the County Engineer. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.
  - b. *Side Yard Landscape Area:* 10 feet in depth along side property lines unless adjacent to a residential district where buffer requirements will apply.

6. *Use of Existing Structure:* When property containing legal conforming or legal nonconforming structures, under the current zoning, is rezoned to a nonresidential zoning district the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.
7. *Lighting and shielding standards.* Lighting shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.
8. *Special Locational and Spatial Requirements.*
  - a. No more than 50 percent of the required parking can be located in the front yard along a State Route (*and Padgett Road?*) as established by the front building line of any structure located on the site.
  - b. No outside storage allowed.
  - c. All roof-top heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.

Chairman Thoms said he visualized requirements more like a PUD where the proposed footprint of the buildings, parking, landscaping, etc. are indicated on the lot.

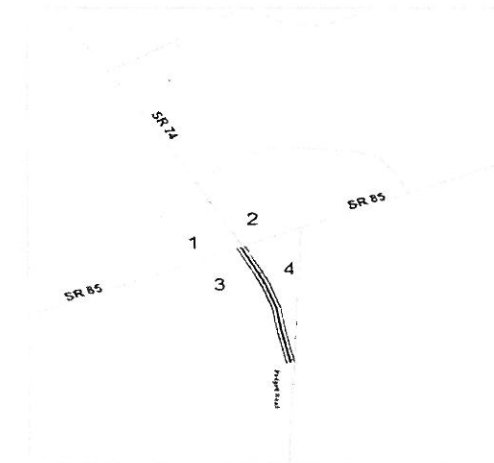
The other PC members concurred.

#### **Recommended Amendments to the Limited-Commercial Zoning District**

*SR 74 S, SR 85 S, and Padgett Road Intersection Special Development District.* The following will apply to the area identified in the Fayette County Comprehensive Plan as the SR 74, SR 85, and Padgett Road Intersection Special Development District and SR 74, SR 85, and Padgett Road Intersection Overlay District. The purpose of this Special Development District is to address nonresidential development standards at this intersection identifying the county's preferred development pattern and developmental controls to address intensity, aesthetics, architecture, and historic preservation.

The goals of the SR 74, SR 85, and Padgett Road Intersection Overlay District are: 1) maintain an efficient flow of traffic at the intersection, 2) maintain the historic

character of the area, 3) control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County, and 4) protect existing and future residential areas outside of the intersection. To facilitate the administration of this special development district, each of the corners is numbered according to the map below:



**Corner 1:** The full range of Permitted and Conditional Uses in the Limited-Commercial Zoning District shall be allowed for this corner.

Jim Graw stated he did not feel a convenience commercial establishment should be permitted on Corner 1 as a Conditional Use.

**Corner 2:** The full range of Permitted and Conditional Uses in the Limited-Commercial Zoning District shall be allowed for this corner with the exception of Conditional Use of a Convenience Commercial Establishment.

**Corner 3:** The full range of Permitted and Conditional Uses in the Limited-Commercial Zoning District shall be allowed for this corner.

Jim Graw stated he did not have a problem with a convenience commercial establishment should be permitted on Corner 1 as a Conditional Use.

**Corner 4:** While this corner is discussed in the SR 74, SR 85, and Padgett Road Intersection Overlay District no nonresidential land use designations are indicated on

the Future Land Use Plan at this time, the land use designation remains Agricultural Residential. However, if property at this corner was rezoned to Limited-Commercial prior to the Comprehensive Plan amendments, the full range of Permitted and Conditional Uses in the Limited-Commercial Zoning District shall be allowed for this corner with the exception of the Conditional Use of a Convenience Commercial Establishment.

In conclusion, Chairman Thoms verified the PC asked Staff to develop a Historical Special Development District for the SR 74 South, SR. 85 South, and Padgett Road intersection, to ask Todd Strickland of Historic Concepts to be present at a future PC Workshop, and retain the current land use designation for Corner 2 and Corner 4.


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Chairman Thoms asked if there was any further business.

Hearing no further comments, Al Gilbert made a motion to adjourn the Public Meeting/Workshop. The motion unanimously passed 5-0. Members voting in favor of adjournment were: Chairman Thoms, Al Gilbert, Bill Beckwith, Jim Graw, and Doug Powell. The Public Meeting/Workshop adjourned at 8:52 P.M.

**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**

**ATTEST:**

  
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**TIM THOMS  
CHAIRMAN**

  
\_\_\_\_\_  
**ROBYN S. WILSON  
PC SECRETARY**

